3200 IDS Center 80 South Eighth Street

## Merchant & Gould

An Intellectual Property Law Firm

Minneapolis, Minnesota 55402-2215 USA TEL 612.332.5300 FAX 612.332.9081 www.merchantgould.com

RECEIVED CENTRAL TAX DEPORTS

A Professional Corporation

Fax Transmission

April 20, 2005

TO:

Commissioner for Patents

Attn: Examiner Unknown

P.O. Box 1450

Alexandria, VA 22313-1450

FROM: Joshua N. Randall

OUR REF:

12929.1107USU1

612.371.5387 TELEPHONE:

Total pages, including cover letter:  $\underline{4}$ 

PTO FAX NUMBER 1.703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.336.4664, or fax us at 612.332.9081.

Title of Document Transmitted:

SUPPLEMENTAL INFORMATION

DISCLOSURE STATEMENT; AND FORM

1449

Applicant:

<u>HENRY ET AL.</u>

Serial No.:

10/777,791

Filed:

**FEBRUARY 12, 2004** 

Group Art Unit: 3749

Our Ref. No.:

1292<u>9.1107USU1</u>

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

Name: Joshua N. Randall

Reg. No.: 50,719

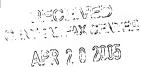
I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Andrea Endris

Adrea Endres Signature

April 20, 2005

GEN033.DOT



S/N 10/777,791

13:52

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

HENRY ET AL.

Examiner:

UNKNOWN

Serial No.:

10/777,791

Group Art Unit:

3749

Filed:

FEBRUARY 12, 2004

Docket No.:

12929.1107USU1

Title:

AIR CONTROL FOR A CLEAN BURNING FIREPLACE

CERTIFICATE UNDER 37 CFR 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on Adie Endres

April 20, 2005.

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

23552 PATENT TRADEMARK OFFICE

Date: April 20,2005

FROM-Merchant & Gould

Respectfully submitted,

MERCHANT & GOULD P.C. P.O. Box 2903 Minneapolis, Minnesota 55402-0903 (612) 332-5300

Reg. No. 50,719

JNR:ae

6123329081

T-804 P.004/004 F-398

Date Mailed: April 20 2005

13:52

Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT 12929.1107USU1 10/777,791				
IN AN APPLICATION Applicant: HENRY ET AL.	Applicant: HENRY ET AL.			
(Use several sheets if necessary) Filing Date: 02/12/2004 Group Art Unit: 3749				

		.s. patent documen				
DOCUMENT NO.	DATE	NAME	ÇLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
6,705,310	03/16/2004	Buzzard et al.				
					_	
	FOF	EIGN PATENT DOCUM	TENTS			
DOCUMENT NO.	DOCUMENT NO. DATE COUNTRY	COUNTRY	CLASS SUBCLASS	SUBCLASS	TRANSLATION	
			YES	NO		
	<u> </u>					
OTHER	DOCUMENT	S (Including Author, Title,	Date, Pertinent	Pages, Etc.)		
	DOCUMENT NO.	6,705,310 03/16/2004  FOR DOCUMENT NO. DATE	6,705,310  03/16/2004  Buzzard et al.  FOREIGN PATENT DOCUMENT NO.  DATE  COUNTRY	6,705,310  03/16/2004  Buzzard et al.  FOREIGN PATENT DOCUMENTS  DOCUMENT NO.  DATE  COUNTRY  CLASS	6,705,310 03/16/2004 Buzzard et al.	FOREIGN PATENT DOCUMENTS  DOCUMENT NO. DATE COUNTRY CLASS SUBCLASS TRANSITYES

23552
PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE